

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

WILLS JAMES YARBERRY WALKER,	§	
#385992	§	
	§	CIVIL CASE NO. 4:22-CV-635-SDJ
VS.	§	
	§	
COLLIN COUNTY JAIL, ET AL.	§	

**ORDER OF DISMISSAL**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 31, 2022, the Report of the Magistrate Judge, (Dkt. #7), was entered containing proposed findings of fact and recommendations that Plaintiff’s lawsuit should be dismissed without prejudice for want of prosecution because Plaintiff failed to comply with the Court’s Order (Dkt. #4) to either pay the \$402.00 filing fee or submit a completed application to proceed *in forma pauperis*, along with a certified data sheet reporting his trust fund activities for the last six months. Plaintiff filed objections. (Dkt. #9).


In the objections, Plaintiff states that he did not fail “to comply with the Court’s order to prosecute” (Dkt. #9 at 2), noting that he submitted several documents to the Court, which were filed on August 15, 2022, (Dkt. #6), and resubmitting those documents with his objections. None of these documents, however, is a completed application to proceed *in forma pauperis* or a certified data sheet reporting his trust fund activities for the last six months. Nor has Plaintiff paid the \$402.00 filing fee.

Plaintiff's objections are without merit. Because Plaintiff has failed to comply with the Court's Order, (Dkt. #4), he has failed to prosecute the case.

The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. Having made a *de novo* review of the objections raised by Plaintiff to the Report, the Court concludes that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff's complaint is **DISMISSED** without prejudice. It is further **ORDERED** that all motions not previously ruled on are hereby **DENIED**.

**So ORDERED and SIGNED this 15th day of March, 2023.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE